

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EDYTHE MARCELLAN,

Plaintiff,

v.

No. 2:20-cv-00175-JCH-GBW

ALBUQUERQUE VETERANS HOSPITAL,

Defendant.

MEMORANDUM OPINION AND ORDER
DENYING PLAINTIFF'S MOTION TO RECUSE AND REOPEN

THIS MATTER comes before the Court on Plaintiff's recent email to the Court. *See* Attached Email.

Plaintiff filed her Complaint by mailing it to the Clerk's Office. *See* Doc. 1, filed February 28, 2020. After the Court notified Plaintiff that the Court lacks subject-matter jurisdiction over this action and granted Plaintiff leave to file an amended complaint, the Court received an email communication from Plaintiff which appeared to contain a document intended for filing in this case. The Court notified Plaintiff that if she wishes to amend her Complaint, she must do so by filing the amended complaint on the docket, not by communicating directly with the assigned Judge. *See* Order Regarding Filing of Documents and Communication with the Court, Doc. 5, filed April 7, 2020. The Court informed Plaintiff that all requests for relief from the Court should be filed as written motions by mailing them to the Clerk of Court. The Court later dismissed this case because Plaintiff did not timely file an amended complaint showing the Court has jurisdiction over this matter. *See* Doc. 6, filed April 21, 2020.

On April 26, 2020, Plaintiff send an email communication to the assigned District Judge seeking the District Judge's recusal and the reopening of this case. *See* Attached Email. The email

contained an attachment which Plaintiff states she had previously sent. An Information Technology Specialist with the Court opened the attachment which was empty. The Court denies Plaintiff's motion that the undersigned reopen this case and recuse from this case because Plaintiff has not stated with particularity the grounds for her motion as required by D.N.M.LR-Civ. 7.1(a).

Because Plaintiff did not comply with the Court's Order Regarding Filing of Documents and Communication with the Court by emailing her motion to recuse and reopen to the assigned District Judge, the Court will disregard all of Plaintiff's further communications with Chambers.

IT IS SO ORDERED.



SENIOR UNITED STATES DISTRICT JUDGE